

Decision of the Discipline Interpretation and Enforcement Board

January 17, 2001

5:30pm, 2-911 SUB

Members present: Heather Smillie, Vincent Tong, Sean Doherty, Chris Liobing, Julien McNulty

Appellant: to remain nameless

Respondent: Heather Clark, Chief Returning Officer

Preliminary issue: Is this appeal subject to the 24 hour deadline that appeals regarding election issues are generally required to meet?

Response: No. The appeal will be heard and not subjected to the deadline for the following reasons: the nomination deadline has not passed and candidates have not been declared; the election period has not formally begun; the issue in question is clarification of a potential issue, not an actual election issue.

Appeal: The appellant requests that DIE Board overturn the CRO's ruling refusing an request for a special exception to Bylaw 300 (25).

Decision:

The appeal is refused. The ruling of the CRO will be upheld.

The letter and intent of Bylaw 300 (25) is clear; it is to maintain a level playing field for election candidates. The CRO's decision is in line with that intent. Further, there are no compelling reasons to permit an exception in this instance.